United Nations S/PV.4814

Security Council

Fifty-eighth year

Provisional

4814th meeting

Tuesday, 26 August 2003, 6 p.m.

New York

President:	Mr. Mekdad	(Syrian Arab Republic)
Members:	Angola	Mr. Lucas
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Tidjani
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	France	Mr. Duclos
	Germany	Mr. Trautwein
	Guinea	Mr. Boubacar Diallo
	Mexico	Mr. Aguilar Zinser
	Pakistan	Mr. Akram
	Russian Federation	Mr. Lavrov
	Spain	Mr. Arias
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Negroponte

Agenda

Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones

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03-47628 (E)

The meeting was called to order to order at 6 p.m.

Adoption of the agenda

The agenda was adopted.

Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones

The President (*spoke in Arabic*): The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2003/581, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I welcome the presence of the Secretary-General, His Excellency Mr. Kofi Annan, at this meeting, and I give him the floor.

The Secretary-General: I wish to express my strong support for the draft resolution before the Council. I can think of no issue about which I feel more strongly as Secretary-General — and I believe none should be more important to each member of the Security Council — than the safety of those brave men and women who serve the Organization in the places where it matters most, that is, in zones of conflict and danger.

It is of course a fact of life that much of our work is done in dangerous places, since that is where it is most sorely needed. But that only strengthens the obligation on all of us to take every step in our power to protect those working under the blue flag and to bring to justice those who attack or harm them. Regrettably, in recent years we have not lived up to that obligation. Attacks on humanitarian workers and on United Nations personnel have increased alarmingly. Again and again, peacekeepers or unarmed civilians who have voluntarily gone in to help their fellow men and women have been deliberately targeted by armed factions seeking to make a political point or a military gain or to intimidate the international community.

Last week's vicious attack on our headquarters in Baghdad, with all its tragic consequences, has brought that vital issue to the forefront of our priorities. It shows us what we must expect if we allow the impression to continue gaining ground that international workers are a soft, cost-free target. Impunity for those who commit such unpardonable crimes cannot stand. There must be action.

Once again, I urge Member States in whose territories attacks against United Nations personnel have been committed to take practical and effective steps to investigate and prosecute those responsible for such crimes. I also urge those States that have not yet done so to sign, ratify and accede to the Convention on the Safety of United Nations and Associated Personnel.

And, members of the Council, I urge you today to adopt the timely draft resolution before you. I hope very much that you will pass it unanimously and that you will follow it up with action. In so doing, you will send an unambiguous message to all those who mistakenly believe that, in today's turbulent world, they can advance their cause by targeting the servants of humanity. And if you succeed in strengthening the security of United Nations staff, you will not only do what, in all conscience, is your duty; you will also increase the authority and effectiveness of the Council by making clear that you are determined to protect those whom you send into the field to implement your decisions.

The President (*spoke in Arabic*): I thank the Secretary-General for his important statement.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution (S/2003/581) before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Angola, Bulgaria, Cameroon, Chile, China, France, Germany, Guinea, Mexico, Pakistan, Russian Federation, Spain, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Arabic*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1502 (2003).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Negroponte (United States of America): We are pleased that the Security Council has adopted by consensus this important resolution regarding the protection of humanitarian personnel in conflict zones. The importance of the work done by humanitarian workers and the need to protect them has never been more evident.

I wish to commend Ambassador Aguilar Zinser and our other Mexican colleagues for their tireless efforts to reach consensus. The efforts of the other sponsors are also appreciated.

We live in a world where failed States, conflict, poverty, hunger and privation are all too common. Humanitarian personnel, United Nations personnel and associated personnel play a vital and indispensable role in easing suffering during times of conflict and hardship and in helping countries that are emerging from conflict to return to health. In Afghanistan, the Democratic Republic of the Congo, Burundi or Iraq, humanitarian workers willingly and courageously serve wherever need exists. As the Security Council, we count on them to carry out this body's mandates. They cannot carry out those mandates if they cannot operate in safety and it is right that we call for their protection in this resolution.

This resolution moves beyond previous measures in focusing the Security Council's attention on both the prevention of attacks on humanitarian, United Nations and associated personnel and on the accountability of those who commit such acts. I would like to make a few observations about the consensus text.

We note that the fourth preambular paragraph reaffirms the general rule that humanitarian and United Nations personnel should observe and respect the laws of the country in which they are operating. This paragraph makes clear that this general rule must be applied in accordance with international law, which may provide for special rules that govern the relationship between such personnel and the laws of the host State.

We also note that operative paragraph 3 creates no new international legal obligations, but rather reaffirms the existing obligation of all parties involved in an armed conflict to comply fully with the rules and principles of international law applicable to them during armed conflict.

Finally, we would note that operative paragraph 4 does not in itself create any new international legal obligations, but rather urges concerned parties to implement their existing international legal obligations relating to access, the provision of facilities and the promotion of safety, security and freedom of movement. In this connection, we recall that both the Hague Regulations and the Geneva Conventions recognize that, during a period of armed conflict, the extent to which a concerned party is able to allow such access, make available such facilities or promote the security of such personnel may be limited to those steps that are practicable and consistent with the security and operating environment.

We are all deeply saddened by the tragic events that took place last week in Baghdad. Twenty-three dedicated individuals who were engaged in helping the people of Iraq lost their lives. This was an attack on the entire civilized world and an immeasurable loss to the international community. This resolution recognizes and values the dedication and even heroism of those humanitarian workers serving worldwide who, day after day, knowingly risk their lives to reduce human suffering and further the cause of peace. We welcome its adoption.

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): I take the floor on behalf of the six countries that, during the final phase of the negotiating process that led to the unanimous adoption of this resolution, moved the text forward and urged its consensus adoption.

Bulgaria, Germany, France, the Russian Federation, the Syrian Arab Republic and Mexico participated in this effort, first, in the conviction that the Security Council had clearly and unequivocally to demonstrate its responsibility for the protection of humanitarian workers. Secondly, its sponsors, in the conviction that the resolution had to be adopted unanimously, made it their task to send an unequivocal message, as the Secretary-General pointed out, to those who believe in impunity for acts against humanitarian workers in conflict situations. The message to the international community had to be equally clear and unequivocal to the effect that the Security Council and the United Nations as a whole are committed to undertaking concrete actions leading to the creation of

a better framework of protection for humanitarian workers in conflict situations.

We regret the fact that the resolution does not explicitly mention the International Criminal Court and the Rome Statute. However, given its purpose and the vital importance of its unanimous adoption, the sponsors felt justified in reaching the difficult decisions made during the negotiating process, culminating in the adoption of this instrument.

I wish finally to indicate that, thanks to the dedication of humanitarian workers of the United Nations and of civil society organizations around the world, thousands upon thousands of people are protected in extreme conflict situations. We owe it to them to support and to create better security conditions. In particular, since the events of 19 August in Baghdad, the Council owes it to them to shoulder the clear and resolute responsibility to demonstrate its appreciation of their work and its solidarity with them.

The President (*spoke in Arabic*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6.20 p.m.